

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
DIVISION**

Harvey Lewis Young
(Print your full name)

Plaintiff *pro se*,

v.

Sh'meaka Love
Kraiburg, TPE

(Print full name of each defendant; an
employer is usually the defendant)

Defendant(s).

CIVIL ACTION FILE NO.

2:15-CV-0003

(to be assigned by Clerk)

PRO SE EMPLOYMENT DISCRIMINATION COMPLAINT FORM

Claims and Jurisdiction

1. This employment discrimination lawsuit is brought under (check only those that apply):

_____ Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq., for employment discrimination on the basis of race, color, religion, sex, or national origin, or retaliation for exercising rights under this statute.

NOTE: To sue under Title VII, you generally must have received a notice of right-to-sue letter from the Equal Employment Opportunity Commission ("EEOC").

_____ Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621 et seq., for employment discrimination against persons age 40 and over, or retaliation for exercising rights under this statute.

NOTE: To sue under the Age Discrimination in Employment Act, you generally must first file a charge of discrimination with the EEOC.

_____ Americans With Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq., for employment discrimination on the basis of disability, or retaliation for exercising rights under this statute.

NOTE: To sue under the Americans With Disabilities Act, you generally must have received a notice of right-to-sue letter from the EEOC.

✓ _____ Other (describe) Defamation of
Character

2. This Court has subject matter jurisdiction over this case under the above-listed statutes and under 28 U.S.C. §§ 1331 and 1343.

On Tuesday, April 22, I received an email from Jason Cain, Transportation Coordinator at Kraiburg TPE, stating that driver Harvey Young was not allowed to come to their facility anymore. Jason stated that driver Young had made some inappropriate comments to Sh'meaka Love, Warehouse Associate, regarding her sexual orientation.

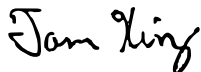
At that point, I phoned my Terminal Manager, Dave Loggins, to inform him of the situation. Dave told me to go find out what happened. When I went back to Kraiburg, Jason was not in the warehouse office but Sh'meaka was. I asked her what happened. She said that Mr. Young had asked her if she was married and was asking her to go out with him. She informed him that she did not want to go out with him. She said that Mr. Young asked her what was wrong and then made the comment to her that she must like women. I noticed at that moment in time, she was very upset.

Once again, I called to let Dave know what I had found out. At the same time, I was getting an email from Christian Deschenes, Director of Operations at Kraiburg TPE. Christian asked me to give him a call which I did. He wanted to discuss what had happened and asked that Dave and I meet with him on Wednesday, May 23, 2014. Christian said that Ana Branch, Human Resource Manager at Kraiburg TPE, would also be in the meeting with us.

The following day, Dave and I went to meet with Christian and Ana. We discussed the issue as they were disappointed with what had occurred. Dave asked if we could speak with Sh'meaka and get her thoughts on the situation. Sh'meaka told us what had taken place in regards to what Mr. Young had said to her. She was still very upset. She basically recapped in stating that Mr. Young was badgering her into going out with him and that she had said no. She then said that he made the statement that "you must like women". Then, she said "he basically was calling me a "lesbian". It appeared she was becoming upset over the situation. Dave then thanked her for letting us know what had happened. Sh'meaka then went back to the warehouse.

Dave and I finished our meeting with Christian and Ana. Dave told them that he would be doing some internal investigation into the occurrence.

Tom King



Parties

3. Plaintiff. Print your full name and mailing address below:

Name Harvey Lewis Young
Address _____

4. Defendant(s). Print below the name and address of each defendant listed on page 1 of this form:

Name Sh'meake Love % KRAIBURG Tpe
Address 2625 N. Berkeley Lake Rd. NW
#100 Duluth, GA 30096

Name _____
Address _____

Name _____
Address _____

Location and Time

5. If the alleged discriminatory conduct occurred at a location different from the address provided for defendant(s), state where that discrimination occurred:

6. When did the alleged discrimination occur? (State date or time period)

April 22, 2014 and April 23, 2014

Administrative Procedures

7. Did you file a charge of discrimination against defendant(s) with the EEOC or any other federal agency? ☒ Yes ☐ No

If you checked "Yes," attach a copy of the charge to this complaint.

8. Have you received a Notice of Right-to-Sue letter from the EEOC?

☒ Yes ☐ No

If you checked "Yes," attach a copy of that letter to this complaint and state the date on which you received that letter:

9. If you are suing for **age discrimination**, check one of the following:

_____ 60 days or more have elapsed since I filed my charge of age discrimination with the EEOC

_____ Less than 60 days have passed since I filed my charge of age discrimination with the EEOC

10. If you were employed by an agency of the State of Georgia or unsuccessfully sought employment with a State agency, did you file a complaint against defendant(s) with the Georgia Commission on Equal Opportunity?

_____ Yes _____ No _____ Not applicable, because I was
not an employee of, or applicant with,
a State agency.

If you checked "Yes," attach a copy of the complaint you filed with the Georgia Commission on Equal Opportunity and describe below what happened with it (i.e., the complaint was dismissed, there was a hearing before a special master, or there was an appeal to Superior Court):

11. If you were employed by a Federal agency or unsuccessfully sought employment with a Federal agency, did you complete the administrative process established by that agency for persons alleging denial of equal employment opportunity?

_____ Yes _____ No _____ Not applicable, because I was
not an employee of, or applicant with,
a Federal agency.

If you checked "Yes," describe below what happened in that administrative process:

Nature of the Case

12. The conduct complained about in this lawsuit involves (check only those that apply):

☐ failure to hire me
☐ failure to promote me
☐ demotion
☐ reduction in my wages
☐ working under terms and conditions of employment that differed from similarly situated employees
☐ harassment
☒ retaliation
☒ termination of my employment
☒ failure to accommodate my disability
☒ other (please specify) my reputation and character becoming questionable

13. I believe that I was discriminated against because of (check only those that apply):

☐ my race or color, which is _____
☐ my religion, which is _____
☒ my sex (gender), which is ☒ male ☐ female
☐ my national origin, which is _____
☐ my age (my date of birth is _____)
☐ my disability or perceived disability, which is: _____

☐ my opposition to a practice of my employer that I believe violated the federal anti-discrimination laws or my participation in an EEOC investigation

☒ other (please specify) Shimeake employee of Kraiburg getting even with me because I parked truck at wrong dock.

14. Write below, as clearly as possible, the essential facts of your claim(s). Describe specifically the conduct that you believe was discriminatory or retaliatory and how each defendant was involved. Include any facts which show that the actions you are complaining about were discriminatory or retaliatory. Take time to organize your statements; you may use numbered paragraphs if you find that helpful. Do not make legal arguments or cite cases or statutes.

Sh'meake Love made false statements about me which also played a role in me losing my job. She also made my character questionable. She has damaged my reputation. Her company also played a role because they had no evidence to substantiate her claim.

(Attach no more than five additional sheets if necessary; type or write legibly only on one side of a page.)

15. Plaintiff ☒ still works for defendant(s)
☒ no longer works for defendant(s) or was not hired

16. If this is a disability-related claim, did defendant(s) deny a request for reasonable accommodation? ☐ Yes ☐ No

If you checked "Yes," please explain: _____

17. If your case goes to trial, it will be heard by a judge unless you elect a jury trial. Do you request a jury trial? ☒ Yes ☐ No

Request for Relief

As relief from the allegations of discrimination and/or retaliation stated above, plaintiff prays that the Court grant the following relief (check any that apply):

- ☒ Defendant(s) be directed to feel the truth
about her actions
- ☒ Money damages (list amounts) \$100,000.00
- ☒ Costs and fees involved in litigating this case
- ☒ Such other relief as may be appropriate

PLEASE READ BEFORE SIGNING THIS COMPLAINT

Before you sign this Complaint and file it with the Clerk, please review Rule 11 of the Federal Rules of Civil Procedure for a full description of your obligation of good faith in filing this Complaint and any motion or pleading in this Court, as well as the sanctions that may be imposed by the Court when a litigant (whether plaintiff or defendant) violates the provisions of Rule 11. These sanctions may include an order directing you to pay part or all of the reasonable attorney's fees and other expenses incurred by the defendant(s). Finally, if the defendant(s) is the prevailing party in this lawsuit, costs (other than attorney's fees) may be imposed upon you under Federal Rule of Civil Procedure 54(d)(1).

Signed, this 5 day of JANUARY, 20 15


(Signature of plaintiff *pro se*)

Harvey Lewis Young
(Printed name of plaintiff *pro se*)

5248 Hopewell Lane
(street address)

Gainesville, GA. 30507
(City, State, and zip code)

young52482000@yahoo.com
(email address)

678-936-8538
(telephone number)